

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**May 19, 1998**

**DIVISION THREE**

Court convened at 9:30 A.M.

Present: Klein, P.J., Croskey, J., Aldrich, J., Goodman, J. (Assigned), and Sandy Veverka, Deputy Clerk.

Each of the following:

B110628 People v. Taylor  
B110837 People v. Blair  
B109434 People v. Blair  
B111860 People v. Czuczko  
B116827 People v. King  
B110582 People v. Aiello  
B105929 People v. Messina, et al.  
B106985 People v. Lomeli, et al.  
B105615 People v. Snow  
B120813 Clara P. v. S.C.L.A.  
B120305 Andrea L. v. S.C.L.A.  
B117660 County of LA v. David G.  
B112580 County of LA v. Henry R.

Argument waived, cause submitted.

B111556      Emad Hakim  
                 v.  
                 Regina Hakim

Merits:

Argued by Allan Sigel for appellant and by Clifford S. Dicker for respondent. Cause submitted.

DIVISION THREE (Continued)

B094724 Farchoice Enterprises, Ltd.

v.

Chi Shun Associates

Merits:

Argued by Deborah Perlman for appellant and by Noel A. Obiora for respondent. Cause submitted.

B120476 Victor L.

v.

S.C.L.A.

(Department of Children Services, r.p.i.)

Merits:

Argued by Amy Pellman for petitioner and by Patrick D. Goodman for real party in interest. Cause submitted.

B120700 Robert G.

v.

S.C.L.A.

(Department of Children Services, r.p.i.)

Merits:

Argued by Robert Gordin for petitioner and by Patrick D. Goodman for real party in interest. Cause submitted.

B105821 Linda Sutton

v.

Mickey Rizzo

Merits:

Argued by Timothy J. Hogan for appellant and by Ira D. Johns for respondent. Cause submitted.

DIVISION THREE (Continued)

B116417      Bellflower Unified School District  
                 v.  
                 S.C.L.A.  
                 (County Superintendent of Schools for LA, r.p.i.)

Merits:

Argued by Eric Bathen for petitioner and by Sheliah Curtis for real party in interest. Cause submitted.

Court recessed.

The Court reconvened at 1:30 P.M.

Present: Klein, P.J., Croskey, J., Aldrich, J., Goodman, J. (Assigned), and Sandy Veverka, Deputy Clerk

Each of the following:

B113512 People v. Tatoian  
B110553 People v. Jimenez  
B114219 People v. Jones  
B112286 People v. Medina  
B114090 People v. Davis

Argument waived, cause submitted.

B112541      Jock Kin Cho  
                 v.  
                 Timothy Alden Miller

Merits:

Argued by Frank E. Merideth, Jr. for appellant and by William Smiland for respondent. Cause submitted.

### DIVISION THREE (Continued)

B107035 Sylvia Martin  
v.  
Wayne Grau

Merits:

Argued by David B. Burman for appellant and by Richard R. Nakamura, Jr. for respondent. Cause argued, submission deferred.

B105314      Leo Baumohl  
v.  
FHP, Inc.

Merits:

Argued by Daniel Romano for appellant and by Deborah C. Saxe for respondent. Cause submitted.

Court adjourned.

## DIVISION FOUR

B108829      People  
v.  
Del Campo

Filed order modifying opinion. Petition for rehearing is denied. (Change in judgment.)

B108829      People      (Not for Publication)  
v.  
Pittman, aka Smith

The Court:

For the foregoing reasons, the judgment is affirmed.

Vogel (C.S.), P.J., Epstein, J., Hastings, J.

## DIVISION FOUR (Continued)

B113872 People (Not for Publication)

V.  
Yarbrough

The Court:

For the foregoing reasons, this matter is remanded for the limited purpose of a hearing in accord with the holdings of *People v. Superior Court (Romero)*, *supra*, 13 Cal.4th 497, and *People v. Williams*, *supra*, 17 Cal.4th 148, and for resentencing, if appropriate, thereafter. In all other respects, the judgment is affirmed.

Vogel (C.S.), P.J., Epstein, J., Hastings, J.

B117469 People (Not for Publication)

V.  
Bernandez

The judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.  
Hastings, J.

B111568 People (Not for Publication)

v.  
Vallejo

The judgment is reversed with respect to the prior Arizona prison term finding and enhancement, and the matter is remanded for a new trial on the prior Arizona prison term allegation. In all other respects, the judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.  
Hastings, J.

May 19, 1998-Continued

## DIVISION FOUR (Continued)

B110815      People      (Not for Publication)

## V. McKnight

The judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.  
Hastings, J.

B107871      Keru Investments, Inc., et al.      (Certified for Publication)

V.  
Cube Company, Inc.

The judgment is reversed. Appellant is awarded costs on appeal.

Vogel (C.S.), P.J.

We concur: Epstein, J.  
Hastings, J.

B109843      The Walt Disney Company, et al.      (Not for Publication)

V.  
Fulwider, Patton, Lee & Utecht

The judgment (order striking item 7 of the cost bill) is affirmed. Costs are awarded to respondents.

Hastings, J.

We concur: Vogel (C.S.), P.J.  
Czuleger, J. (Assigned)

DIVISION FOUR (Continued)

(Certified for Publication)

B110791      14859 Moorpark Homeowner's Association et al.  
v.  
VRT Corp.

B110799      HP Moorpark, LLC  
v.  
Willis Investment Group

The order granting the association's request for a preliminary injunction in the partition action (No. LC037523) is reversed, as is the order denying Willis's request for a preliminary injunction in the quiet title action (No. LC040018). Appellants are awarded their costs.

Vogel (C.S.), P.J.

We concur: Epstein, J.  
Czuleger, J. (Assigned)

DIVISION FIVE

B108471      Cathryn Kotler, et al.      (Certified for Partial Publication)  
v.  
Alma Lodge

The judgment is affirmed. Respondents Jim Holt, Beverly Holt and Cathryn Kotler to recover their costs on appeal.

Godoy Perez, J.

We concur: Turner, P.J.  
Armstrong, J.

B118538      Jon Eardley  
v.  
Ikea, U.S., Inc. et al.

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed 10-27-97) dismissed.

May 19, 1998-Continued

DIVISION SIX

[illegible]

The judgment is affirmed.

Yegan, J.

We concur:   Stone, P.J.  
                      Gilbert, J.

B105484      Cameron  
v.  
Strait

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment.)

## DIVISION SEVEN

B109628 People (Not for Publication)  
v.  
Smith

The judgment is affirmed.

Neal, J.

We concur:   Johnson, Acting P.J.  
                      Woods, J.